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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------------|---------------------|
| 63,285 | 08/02/79 | Keith C. Murdock, et, al., | 27,962 |

Edward A. Conroy, Jr.
1937 West Main St.
Stamford. CT 06904

| EXAMINER | |
|----------|--------------|
| Goldberg | |
| ART UNIT | PAPER NUMBER |
| MAILED | 3 |

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

APR 11 1980

GROUP 120

8/2/79

This application has been examined.

Responsive to communication filed on

This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), 30 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited, Form PTO-892.
2. Notice of Informal Patent Drawing, PTO-948.
3. Notice of Informal Patent Application, Form PTO-152.
4. _____

Part II SUMMARY OF ACTION

1. Claims 34-50 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims _____ are rejected.

5. Claims _____ are objected to.

6. Claims 34-50 are subject to restriction or election requirement.

7. The formal drawings filed on _____ are acceptable.

8. The drawing correction request filed on _____ has been approved. disapproved.

9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
 been received. not been received. been filed in parent application, serial no. _____
filed on _____.

10. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

11. Other

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EXAMINER'S ACTION

Art Unit 125

Restriction is required under 35 U.S.C. 121 and 37 C.F.R. 1.142 between the following inventions.

I claim 34-46 drawn to pharmaceutical composition and methods for treating cancer which would be classified in 424 subclass 248 +.

II. Claims 47-50 drawn to compounds of a different scope than the Group I compound which are classified in class 260 subclass 262.

If applicants elect Group I, they are further required to elect a single disclosed species for examination and to add a claim to the elected invention.

It is quite clear that the above inventions are independent and distinct, and would support separate patents and a reference to one invention under 35 U.S.C. 103 would not be a reference to the other invention.

To be complete, applicants' response must include a provisional election even though the requirement is traversed.

Goldberg:cvm

A/C 703

557-2575

3/12/80


JEROME D. GOLDBERG
EXAMINER
GROUP ART UNIT 125